

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

PRINCETERENCE FREDERICK  
MADISON,

Plaintiff,

v.

Civil Case No. 19-13747  
Honorable Linda V. Parker

EMPIRE FIRE AND MARINE  
INSURANCE CO. and JOHN DOE,

Defendants.

**OPINION AND ORDER LIFTING STAY AND REQUIRING PLAINTIFF  
TO SHOW CAUSE IN WRITING**

On November 18, 2019, Plaintiff, with the assistance of counsel, filed this lawsuit against Defendants. Plaintiff seeks no fault insurance coverage from Defendant Empire Fire and Marine Insurance Company for a motor vehicle accident involving Defendant John Doe on or about November 18, 2018. On February 14, 2020, Plaintiff's counsel moved to withdraw based on a total breakdown of the attorney-client relationship, at least partially due to counsel's inability to contact Plaintiff at any of the addresses and phone numbers counsel had for him. (ECF No. 7.) Defendant did not oppose the motion. (ECF No. 9.)

On March 13, 2020, this Court issued an order setting a telephonic motion hearing with respect to counsel's motion for March 26, 2020. (ECF No. 10.) The

Court ordered Plaintiff to attend and directed Plaintiff's counsel to serve a copy of the motion to withdraw and the Court's order on Plaintiff at least ten days prior to the hearing. (*Id.*) On March 25, 2020, Plaintiff's counsel filed documentation reflecting his unsuccessful attempts to serve Plaintiff in person and by mail. (ECF No. 11.) The mailings to Plaintiff were returned and marked undeliverable. (*Id.*)

Plaintiff failed to appear for the telephonic hearing on March 26, 2020. On that date, the Court granted counsel's motion to withdraw and issued an opinion and order to that effect. (ECF No. 13.) In the order, the Court stayed the matter for thirty days to allow Plaintiff to retain new counsel and instructed Plaintiff that the matter will move forward after that period whether Plaintiff retains new counsel or is proceeding pro se. (*Id.*) The Court also instructed Plaintiff's counsel to serve a copy of the decision on Plaintiff and to file a certificate of service. Counsel filed a proof of service on April 8, 2020, indicating that he mailed the materials to Plaintiff, but they were returned to sender. (*Id.* at 14.) The thirty days has expired and no attorney has entered an appearance on behalf of Plaintiff and Plaintiff has not otherwise contacted the Court or taken action in this matter.

Accordingly,

**IT IS ORDERED** that the **STAY IS LIFTED**.

**IT IS FURTHER ORDERED** that, within fourteen (14) days of this Opinion and Order, Plaintiff shall notify this Court in writing as to whether he

plans to move forward with this action. Plaintiff's communication should be mailed to:

Clerk of the Court  
U.S. District Court E.D. Michigan  
231 W. Lafayette Blvd.  
Detroit, MI 48226

If Plaintiff does not comply before the deadline expires, the Court will dismiss the matter for failure to prosecute pursuant to Eastern District of Michigan Local Rule 41.2.

**IT IS SO ORDERED.**

s/ Linda V. Parker  
LINDA V. PARKER  
U.S. DISTRICT JUDGE

Dated: May 11, 2020